

Notice of Allowability

Application No.

10/631,040

Examiner

Chih-Cheng Glen Kao

Applicant(s)

FADLER ET AL

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/21/05.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 21 March 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsman's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Noll on April 21, 2005.

2. The application has been amended as follows:

In claim 1, line 8; replace the comma with - -for- -

In claim 2, lines 4-5; delete "wherein the step of setting said slice level comprises"

In claim 6, line 2, in the phrase "said slice level marking"; replace "said" with - -the- -

In claim 7, line 6, in the phrase "said examination subject"; delete "examination"

In claim 8, line 9; replace "x-ray" with - -X-ray- -

In claim 14, line 2, "said slice level"; replace "said" with - -the- -

In claim 15, line 8, in the phrase "said processor for setting a slice level";

replace "a slice level" with - -operating parameters- -

In claim 16, line 5, "in the phrase "an exterior of a subject"; replace "a" with - -the- -

In claim 16, line 10; replace "x-ray" with - -X-ray- -

In claim 16, line 11; replace "source" with - -arrangement- -

Reasons for Allowance

3. Claims 1-16 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, prior art does not disclose or fairly suggest a method including the step of using a marking in a reference image for setting operating parameters of an X-ray examination device when irradiating a subject with X-rays with said X-ray examination device to generate an unblurred image at substantially only said slice level of said subject, in combination with all the limitations in the claim. Claims 2-7 are allowed by virtue of their dependency.

Regarding claim 8, prior art does not disclose or fairly suggest a device including a processor using a marking in a reference image for setting operating parameters of an X-ray examination device when irradiating a subject with X-rays with said X-ray examination device to generate an unblurred image at substantially only said slice level of said subject, in combination with all the limitations in the claim. Claims 9-15 are allowed by virtue of their dependency.

Regarding claim 16, prior art does not disclose or fairly suggest a device including a processor using a marking in a reference image for setting operating parameters of an X-ray arrangement when irradiating a subject with X-rays with the X-ray arrangement to generate an unblurred image at substantially only said slice level of said subject, in combination with all the limitations in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gk



EDWARD J. GLICK
SUPERVISORY PATENT EXAMINER

REPLACEMENT SHEET



Approved
13/05/05

